

REMARKS

In the Decision on Appeal dated June 26, 2012, the final rejection of the previously pending claims was affirmed based on the Board's finding that the previously presented claims could be interpreted as covering "the orientation [of display] is manually selected by the user pressing a toggle button, and the data page is analyzed and adjusted to be displayed in the selected orientation once the orientation is determined" as allegedly taught by the combination of U.S. Patent No. 5,661,632 to *Register* in view of U.S. Patent No. 6,453,173 to *Reber* (Board Decision, p. 5). While Applicant certainly disagrees with the Board's findings, and specifically, the erroneous claim construction applied to arrive at the Board's decision, Applicant has amended exemplary Claim 28 to eliminate the Board's construction.

In particular, Claim 28 is amended herein to recite:

the portable device determining, by analyzing the data page, an orientation for presentation of the data page relative to the first and second dimensions of the display.

As noted, the amendments to Claim 28 preclude the Board's interpretation that the "analyzing" occurs after manual user selection of an orientation of presentation utilizing *Register's* toggle buttons. Further, because the Board has clearly held that the combination of *Register* and *Reber* previously relied upon by the Examiner merely discloses a user determining the orientation of presentation and fails to disclose the portable device determining the orientation of presentation (and particularly fails to disclose making such a determination by analyzing the data page), the amendments to Claim 28 clearly overcome any rejection based on the combination of *Register* and *Reber*.

In view of the amendment and remarks made herein, Applicant respectfully submits that all pending claims are now in condition for allowance and respectfully requests such allowance.

Applicant has submitted the fee for one additional independent claim in excess of 3. No additional fee is believed to be required. If, however, any additional fees are required, please charge those fees to IBM Corporation Deposit Account No. **09-0447**.

Respectfully submitted,

/Brian F. Russell/

Brian F. Russell

Registration No. 40,796

YUDELL ISIDORE NG RUSSELL PLLC

8911 N. Capital of Texas Hwy., Ste. 2110

Austin, Texas 78759

(512) 617-5535

ATTORNEY FOR APPLICANT